# PLANNING COMMITTEE PROCEDURE RULES

## 1. Terms of Reference of Planning Committee

1.1 The Council will appoint a Planning Committee.

1.2 The Terms of Reference of the Planning Committee are set out in Part 5 of the Constitution.

## 2. Time and Place of Meetings

2.1 The time and place of Planning Committee meetings will be determined by the Chief Executive and notified in the agenda.

## 3. Composition of the Planning Committee

3.1 The Planning Committee will comprise 11 Councillors.

3.2 Article 8.4 of the Articles at Part 2 of this Constitution applies to the Planning Committee.

3.3 Members of the Planning Committee who cannot attend a particular meeting may arrange for a substitute to attend in his or her place provided that they have completed the appropriate training.

3.4 The Leader of the Council cannot be a member of the Planning Committee and cannot sit as a substitute on the Planning Committee.

## 4. Chairman

4.1 The Planning Committee will appoint one of its members as Chairman at its first meeting following the Annual Council Meeting.

4.2 The Chairman of the Planning Committee cannot be a member of the Cabinet.

## 5. Quorum

The quorum for a meeting of the Planning Committee is 6.

## 6. Application of Council Procedure Rules

The Council Procedure Rules (as specified in Council Procedure Rule 22) will apply to all meetings of the Planning Committee except as modified by these Rules.

## 7 Procedure for Determining Applications for Planning Permission

7.1 An officer will present the report of the Head of Planning, Regeneration and Leisure Services.

7.2 Members of the public who have registered to speak may address the meeting when invited to do so by the Chairman and in accordance with the public speaking rules.

7.3 Ward members who have registered to speak may then address the meeting when invited to do so by the Chairman and in accordance with both the public speaking rules and these Procedure Rules.

7.4 The Chairman will invite members of the Committee to address the meeting. With the consent of the Chairman, members of the Committee are entitled to address the meeting more than once.

7.5 Before taking the vote the Chairman will read out the recommendation of the Assistant Director Planning Leisure and Culture Services and ascertain if any member of the Committee wishes to put forward an alternative recommendation.

7.6 If no alternative recommendation is put forward the Chairman will proceed to the vote.

7.7 If one or more alternative recommendations are put forward the Chairman will:

(a) request each member who puts forward an alternative recommendation to read out the alternative recommendation and specify the reasons for the alternative recommendation;

(b) invite the Assistant Director Planning Leisure and Culture Services to advise the Committee on the extent to which the alternative recommendation and reasons for it fall within or outside planning policy;

(c) consider whether an adjournment is required to enable the member proposing the alternative recommendation to take advice from officers;

and only then proceed to the vote.

7.8 Each member of the Committee may vote only once in favour of either the recommendation proposed by the Assistant Director Planning Leisure and Culture Services or an alternative recommendation.

## 8. Public Speaking at Planning Committee

8.1 The Council has a public speaking scheme to allow members of the public and other parties to EITHER give their views in person OR in writing about an application for planning permission which affects them when it is being considered by the Planning Committee. For the avoidance of doubt the rules around public speaking include the ability to speak either for or against in relation to matters concerning Tree Preservation Orders ("TPOs") that come before Planning Committee.

8.2 The four classes of speaker who may exercise the opportunity to speak publicly at Planning Committee are:

a. objector (or agent/ spokesperson on behalf of objectors);
b. applicant, or their agent (or supporter);
c. Parish Council representative (if applicable);
d. Ward Councillor

8.3 A person wishing to address either in person or in writing the Planning Committee must give notice to the Democratic Services Team of his or her intention to do so by 12.00 noon two working days prior to the Planning Committee meeting in question. A person registering to submit comments in writing must submit the written statement by the same deadline.

Members of the public who register to address a meeting of the Planning Committee can do so using one of the three options below: -

- By attending in person and addressing the committee verbally;
- By joining the meeting virtually by video link and addressing the committee verbally; or
- By providing a written statement in advance of the meeting to be read out by an officer.

8.4 A total of three minutes shall be allocated to the applicant and/or his/her agent (or to a member of the public) who wish to speak in favour of a planning application; if more than one person wishes to speak the time will be allocated in accordance with the Council's Guidance for Public Speaking at Planning Committee.

8.5 A total of three minutes shall be allocated to a person who wishes to either speak or provide a written statement, against a planning application; if more than one person wishes to either speak or provide a written statement, the time will be allocated in accordance with the Council's Guidance for Public Speaking at Planning Committee.

8.6 Written statements will be read out by the Democratic Services Officer at the meeting. The written statement should be a length that would take no longer than the allotted time to read. The Democratic Services Officer when reading the written statement will not speak for more than the allotted time, when doing so.

8.7 A total of three minutes public speaking time shall be allocated to the representative of the local Parish Council; if more than one Parish Council representative wishes to speak the time will be divided equally between them. The time limits for public speaking may be extended at the discretion of the Chairman but only in exceptional circumstances.

8.8 A total of three minutes shall be allocated to Ward Councillors who wish to speak in relation to a planning application or proposed confirmation of a Tree Preservation Order (TPO) in their ward; if more than one Ward Councillor wishes to speak the time will be divided equally between them. In the event that a Ward Councillor is unable for any reason to exercise their Ward Councillor speaking rights they may nominate a substitute member to represent the views of the ward residents.

8.9 . The Chairman of the Planning Committee will retain the discretion to decide at the meeting in which order the public speakers will address the Committee.

8.10 The Chairman shall invite the representative of Head of Planning and Regeneration at the conclusion of public speaking on planning applications to correct any factual inaccuracies.

## 9 Members of the Planning Committee with Disclosable Pecuniary Interests (DPI) or other disclosable interests and Public Speaking

9.1 Any Member who considers they have a DPI or other disclosable interest in any planning matter, whether or not as a Planning Committee Member, should seek advice from the Monitoring Officer, deputy Monitoring Officer or a member of the Democratic Services Team at the earliest stage.

## 10 Procedure for referral of planning applications to Planning Committee

Although previously Members had an ability to ask for planning applications to be “called-in” to Planning Committee to be determined, under the provisions of the “National Scheme of Delegations” this is no longer possible. The Town and Country (Discharge of Local Planning Authority Functions) (England) Regulations 2026 (“the regulations”) which come into force on 01 November 2026 impose new rules regarding the allocation of planning applications as between delegated officer decisions and decisions taken by Members sitting on Planning Committee.

The regulations provide that certain applications can only be decided by officers under delegated powers. These are generally Scheule 1 applications. There is a separate list of applications, known as Schedule 2 applications, which may be decided either by officers under delegated powers or by Planning Committee. The regulations and guidance make clear that for Schedule 2 applications there is a presumption that decisions

will be made under delegated powers by officers unless certain tests are met.

The tests are known as the “Gateway Test” and the regulations state that a Schedule 2 application should only be referred to Planning Committee if the application raises: -

- One or more issues of economic, social or environmental significance to the local area (Ground A); or

- One or more significant planning matters having regard to the development plan and any other material considerations (Ground B),

It is for individual Local Planning Authorities to make arrangements to ensure that Schedule 2 applications are filtered into those applications that will be decided under delegated powers and those that will be referred to Planning Committee. The arrangements that will apply for Bromsgrove District Council are set out in Appendix 1 to these committee procedure rules and in the relevant sections of the Scheme of Delegations.